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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re)	Case No. 19-30088-DM
)	
PG&E CORPORATION,)	Chapter 11
)	
and)	(Lead Case)
)	
PACIFIC GAS AND ELECTRIC)	(Jointly Administered)
COMPANY,)	
)	Chapter 11
Debtors.)	
<input type="checkbox"/> Affects PG&E Corporation)	NOTICE OF LIEN UNDER 11 U.S.C. §
<input type="checkbox"/> Affects Pacific Gas and Electric)	546(b) BY GLOBAL DIVING &
Company)	SALVAGE, INC.
<input checked="" type="checkbox"/> Affects both Debtors)	
)	[No Hearing Requested]
)	
<i>*All papers shall be filed in the lead case,</i>)	
<i>No. 19-30088 (DM)</i>)	

25 Global Diving & Salvage, Inc. ("Global Diving") is the general contractor under
26 a prepetition Contract (Long Form) No. 4400005122 (the "Contract") and certain
27 Contract Work Authorizations (CWA) issued under the Contract with Debtor Pacific
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1 Gas and Electric Company (the "Debtor"). Global Diving has contracted to provide the
2 Work, as defined in Contract Work Authorization No. C9881 (the "CWA"), to provide
3 labor, materials, equipment and supervision to furnish and install concrete repairs,
4 added steel cladding and bridge pier upgrade at the Pit 3 Tailrace Slot & Concrete
5 Replacement Project in accordance with the Scope of Work and the General
6 Requirements as defined in the CWA. Prior to the filing of the Debtor's bankruptcy
7 case, Global Diving provided labor, equipment, services and supplies to the Debtor
8 under the Contract and CWA (as both may have been amended by subsequent change
9 orders) at the Debtor's property with the legal description of Pit 3 Powerhouse and
10 located in the County of Shasta in the State of California at the following address:
11 0222100007000, Burney, California 96013.

12 The Work under the Contract and the CWA is a "work of improvement" as is
13 defined under California Civ. Code § 8050(a). Pursuant to California Civil Code section
14 8412:

15 A direct contractor may not enforce a lien unless the contractor records a claim
16 of lien after the contractor completes the direct contract, and before the earlier of
17 the following times:

18 (a) Ninety days after the completion of the work of improvement.

19 (b) Sixty days after the owner records a notice of completion of cessation.

20 Likewise, California Civil Code. Section 8460(a) provides that:

21 The claimant shall commence an action to enforce a lien within 90 days after
22 recordation of the claim of lien. If the claimant does not commence an action to
23 enforce the lien within that time, the claim of lien expires and is unenforceable.

24 Bankruptcy Code section 546(b)(2) provides:

25 The rights and powers of a trustee under sections 544, 545, and 549 of this title
26 are subject to any generally applicable law that --

27 (A) permits perfection of an interest in property to be effective against an
28

1 entity that acquires rights in such property before the date of perfection;
2 or
3 (B) provides for the maintenance or continuation of perfection of an interest
4 in property to be effective against an entity that acquires rights in such
5 property before the date on which action is taken to effect such
6 maintenance or continuance.

7 Bankruptcy Code section 362(b)(3) further provides that the filing of a
8 bankruptcy petition “does not operate as a stay –“ “under subsection (a) of this section,
9 of any act to perfect, or to maintain or continue the perfection of, an interest in property
10 to the extent that the trustee’s rights and powers are subject to perfection under section
11 546(b) of this title. . .”

12 Pursuant to Bankruptcy Code section 546(b), Global Diving hereby gives notice
13 in lieu of the commencement of any action to perfect, maintain or continue Global
14 Diving’s lien, including the recording of a claim of lien and/or the commencement of an
15 action to enforce that lien as required under California Civil Code sections 8412 and
16 8460(a). Global Diving hereby gives further notice that Global Diving intends to record
17 a claim of its lien in the Office of the Records for Shasta County in the State of
18 California as permitted by Bankruptcy Code section 362(b)(3).

19
20 Dated: February 20, 2019

Levene, Neale, Bender, Yoo & Brill L.L.P.

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22 By: /s/ Eve H. Karasik
23 EVE H. KARASIK
24 LEVENE, NEALE, BENDER,
25 YOO & BRILL L.L.P.
26 Counsel for Global Diving &
27 Salvage, Inc.
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

10250 Constellation Blvd., Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF LIEN UNDER 11 U.S.C. § 546(b) BY GLOBAL DIVING & SALVAGE, INC.** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On February 20, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On February 20, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on February 20, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 20, 2019,
Date

Lisa Masse
Printed Name

/s/ Lisa Masse
Signature